

House File 128 - Enrolled

House File 128

AN ACT

RELATING TO CONTROLLED SUBSTANCES, INCLUDING AMENDING CERTAIN CONTROLLED SUBSTANCES SCHEDULES AND PRECURSOR SUBSTANCES REPORTING REQUIREMENTS, MAKING PENALTIES APPLICABLE, AND INCLUDING EFFECTIVE DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 124.204, subsection 4, Code 2023, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *ca.* Ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate. Other name: 5F-EDMB-PINACA.

NEW PARAGRAPH. *cb.* Methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate. Other names: 5F-MDMB-PICA; 5F-MDMB-2201.

NEW PARAGRAPH. *cc.* N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide. Other names: FUB-AKB48; FUB-APINACA; AKB48 N-(4-FLUOROBENZYL).

NEW PARAGRAPH. *cd.* 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide. Other names: 5F-CUMYL-PINACA; SGT-25.

NEW PARAGRAPH. *ce.* (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl) methanone. Other name: FUB-144.

NEW PARAGRAPH. *cf.* 2-(ethylamino)-1-phenylhexan-1-one). Other names: N-Ethylhexedrone; alpha-ethylaminohexanophenone.

NEW PARAGRAPH. *cg.* Alpha-Pyrrolidinohexanophenone. Other names: alpha-PHP; alpha-pyrrolidinohexanophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one.

NEW PARAGRAPH. *ch.* 4-Methyl-alpha-ethylaminopentiophenone. Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one.

NEW PARAGRAPH. *ci.* 4'-Methyl-alpha-pyrrolidinohexiophenone. Other names: MPHP; 4'-methyl-alpha-pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one.

NEW PARAGRAPH. *cj.* alpha-Pyrrolidinoheptaphenone. Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one.

NEW PARAGRAPH. *ck.* 4'-Chloro-alpha-pyrrolidinovalerophenone. Other names: 4-chloro-alpha-PVP; 4'-chloro-alpha-pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one.

NEW PARAGRAPH. *cl.* 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one. Other names: methoxetamine; MXE.

Sec. 2. Section 124.204, subsection 9, Code 2023, is amended by striking the subsection and inserting in lieu thereof the following:

9. *Other substances.* Any material, compound, mixture, or preparation which contains any quantity of the following substances or their optical, positional, and geometric isomers, salts, and salts of isomers:

a. Fentanyl-related substances. "*Fentanyl-related substance*" means any substance not otherwise listed under this schedule or another schedule, and for which no exemption or approval is in effect under section 505 of the federal Food, Drug, and Cosmetic Act that is structurally related to fentanyl by one or more of the following modifications:

(1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle.

(2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups.

(3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl,

amino, or nitro groups.

(4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle.

(5) Replacement of the N-propionyl group by another acyl group.

b. 1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazole-2-one. Other names: bromphine, 1-[1-[1-(4-bromophenyl)ethyl]-4-piperidinyl]-1,3-dihydro-2H-benzimidazol-2-one.

c. 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. Other name: Butonitazene.

d. 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N-diethylethan-1-amine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. Other names: Etodesnitazene; etazene.

e. N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. Other name: Flunitazene.

f. N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. Other name: Metodesnitazene.

g. N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. Other name: Metonitazene.

h. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. Other names: N-pyrrolidino etonitazene; etonitazepyne.

i. N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine and its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers. Other name: Protonitazene.

Sec. 3. Section 124.210, subsection 3, Code 2023, is amended by adding the following new paragraph:

NEW PARAGRAPH. *bg.* Daridorexant.

Sec. 4. Section 124.212, subsection 5, Code 2023, is amended by adding the following new paragraph:

NEW PARAGRAPH. *g.* Ganaxolone (3alpha-hydroxy-3beta-methyl-5alpha-pregnan-20-one).

Sec. 5. Section 124B.2, subsection 1, Code 2023, is amended by adding the following new paragraph:

NEW PARAGRAPH. *ah.* Methyl alpha-phenylacetoacetate and its optical isomers. Other names: MAPA; methyl 3-oxo-2-phenylbutanoate.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

PAT GRASSLEY

Speaker of the House

AMY SINCLAIR

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 128, Ninetieth General Assembly.

MEGHAN NELSON

Chief Clerk of the House

Approved _____, 2023

KIM REYNOLDS

Governor